

COURTROOM MINUTES OF CRIMINAL PROCEEDINGS  
RICHMOND DIVISION

**SENTENCING MINUTES:**

Time Set:	<u>11:00 a.m.</u>	Date:	<u>September 10, 2024</u>
Started:	<u>11:03 a.m.</u>	Presiding Judge:	<u>Roderick C. Young, USDJ</u>
Ended:	<u>11:29 a.m.</u>	Courtroom Deputy:	<u>J. Jones</u>
Time in Court:	<u>26 minutes</u>	Court Reporter:	<u>Tracy Stroh, OCR</u>
		Probation Officer:	<u>Diane DeLuca</u>
Split Time	( )	U.S. Attorney:	<u>Olivia Norman, AUSA</u>
		Defense Counsel:	<u>Charles Gavin</u>
		<input type="checkbox"/> Retained <input checked="" type="checkbox"/> Court appointed <input type="checkbox"/> AFPD	
		Interpreter:	<u></u>
Case Number:	<u>3:23cr155</u>		
USA v.	<u>Latoye O. Cooper</u>		

- ☒ Matter came on for Sentencing.    ☒ in custody    ☐ on bond
- ☐ Court finds defendant GUILTY as to Count(s) \_\_\_\_\_ after a plea before USDJ.
- ☒ Pre-sentence report reviewed.    ☐ Objections argued and rulings made.
- ☐ Motion for Downward Variance - Argued    ☐ Government    ☐ Defendant.  
☐ Granted    ☐ Denied
- ☒ Motion for Acceptance of Responsibility -Argued    ☒ Government    ☐ Defendant.  
(ECF No. 25)  
☒ Granted    ☐ Denied
- ☒ Evidence previously filed at ECF No. 28 adopted by Court and made a part of the record.
- ☒ Argument by counsel.
- ☐ Statement by defendant.

**IMPRISONMENT****SENTENCE:**

Counts(s) 1 The defendant shall be committed to the custody of Bureau of Prisons to be imprisoned for a term of 24 months on Count 1.

- ☒ The defendant is remanded to the custody of the U.S. Marshal.
- ☒ The defendant shall receive credit for time served pursuant to 18 U.S.C. § 3585.
- ☐ The defendant shall surrender for service of the sentence at the institution designated by the Bureau of Prisons/U.S. Marshal, as directed by the Bureau of Prisons. If the defendant is not notified by the Bureau of Prisons of the institution designated, the defendant shall report to the USM at 701 East Broad Street, Richmond, Virginia no later than 10:00 a.m. on \_\_\_\_\_, to begin service of the sentence.

**SUPERVISED RELEASE**

- ☒ Upon release from imprisonment, the defendant shall be on Supervised Release for a term of 3 years on Count 1.
- ☒ The defendant shall report to the U.S. Probation Office in the district to which the deft. is released within 72 hours of release from custody of the Bureau of Prisons.
- ☒ The defendant shall not commit another federal, state or local crime.
- ☒ The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ Defendant shall comply with all of the standard conditions of Supervised Release that have been adopted by this court.

**Defendant shall also comply with the following additional conditions:**

1. If the defendant tests positive for a controlled substance or shows signs of alcohol abuse, the defendant shall participate in a program approved by the United States Probation Office for substance abuse treatment, which program may include residential treatment and testing to determine whether the defendant has reverted to the use of drugs or alcohol, with partial cost to be paid by the defendant, all as directed by the probation officer.
2. The defendant shall participate in a program approved by the United States Probation Office for mental health treatment. The cost of this program is to be paid by the defendant, as directed by the probation officer.
3. The defendant shall waive all rights of confidentiality regarding substance abuse/mental health treatment in order to allow the release of information to the United States Probation Office and authorize communication between the probation officer and the treatment provider.

**FINANCIAL PENALTIES**

- ☒ The Court finds the defendant is not capable of paying a fine.
- ☒ The defendant shall pay a special assessment of \$100.00 as to each count. TOTAL: \$ 100.00
- ☒ Restitution not imposed in this case.
- ☐ The defendant shall pay a fine of \$\_\_\_\_\_. Interest waived? ☐ yes ☐ no
- ☐ The defendant shall make restitution in the amount of \$\_\_\_\_\_ Payable to: \_\_\_\_\_
- Interest waived? ☐ yes ☐ no
- ☐ Restitution is joint and several with \_\_\_\_\_
- ☐ Restitution Order entered and filed in open court.
- ☒ Consent Order of Forfeiture entered and filed in open court.

**SCHEDULE OF PAYMENTS**

**PAYMENT OF THE CRIMINAL MONETARY PENALTIES SHALL BE AS FOLLOWS:**

- ☒ The criminal monetary penalties shall be due in full immediately;
- ☒ Any balance remaining unpaid on the special assessment at the inception of supervision shall be paid by the defendant in installments of not less than \$25.00 per month, until paid in full. Said payments shall commence 60 days after defendant's supervision begins.
- ☒ Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments are to be made to the clerk, United States District Court, except those payments made through the Bureau of Prisons' inmate financial responsibility program.
- ☒ The defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

**APPEAL RIGHTS/DISMISSAL OF COUNTS/BOP RECOMMENDATIONS**

- ☒ The defendant notified of right of appeal.
- ☒ Court noted that defendant waived right of appeal in plea agreement.
- ☐ On motion of government the remaining counts of the indictment, to which the defendant has not pled guilty, are hereby dismissed: Count(s) \_\_\_\_\_.
- ☐ The defendant is continued on present bond and cautioned re bail jumping.
- ☐ The defendant is continued on present bond with the following additional conditions: \_\_\_\_\_.
- ☒ The Court recommends/directs that while incarcerated:
  1. The defendant shall receive educational and vocational training while incarcerated.
  2. The defendant shall receive an evaluation for the need of substance abuse treatment, mental health treatment and medical treatment while incarcerated.
  3. The Court recommends that the defendant be housed as close to his family as possible.